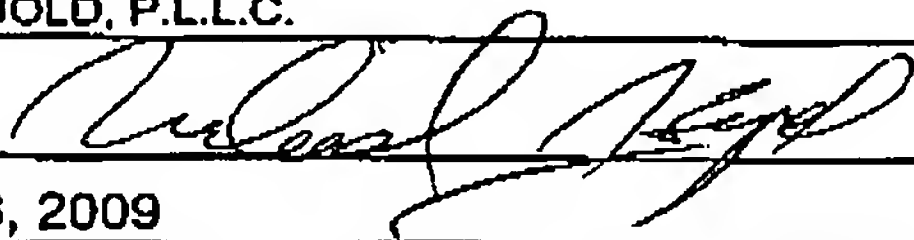



**JAN 26 2009**

PTO/SB/21 (12-97)  
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/554,148
	Confirmation Number	
	Filing Date	with an effective filing date of April 20, 2004
	First Named Inventor	Olivier BREGUET
	Group Art Unit	3732
	Examiner Name	Heidi M. BASHEW Fax: (571) 273-8300
Total No. of Pages in this Submission: 11		Attorney Docket Number NITROS P174US
ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <i>(in Duplicate)</i> <input type="checkbox"/> Fee attached - Check \$ <input checked="" type="checkbox"/> Response ..... [10] <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <i>(in Duplicate)</i> <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Stmt <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Part/s Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) -Annotated Sheet(s) ... <input type="checkbox"/> Replacement Sheet(s) .... <input type="checkbox"/> <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition (DELETED - no longer useful) <input type="checkbox"/> To Convert a Provisional Petition <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosure(s) <i>(please identify below):</i>
REMARKS		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual Name	Michael J. Bujold DAVIS & BUJOLD, P.L.L.C. <div style="text-align: right;">Reg. No. 32,018 CUSTOMER NO. 020210</div>	
Signature		
Date	January 26, 2009	
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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on <u>January 26, 2009</u> .		
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Response Under 37 CFR 1.116  
Expedited Procedure  
Examining Group: 3711

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26Jan09

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Olivier BREGUET
Serial no.	:	10/554,148
Confirmation No.	:	
Filed	:	with an effective filing date of April 20, 2004
For	:	INSTRUMENT FOR DRILLING RADICULAR
	:	CHANNELS
Group Art Unit	:	3711
Examiner	:	Heidi M. BASHEW
Docket	:	NITROS P174US

**BOX AF**

The Commissioner for Patents  
U.S. Patent & Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE**

Dear Sir:

[XXX] NO FEES ARE PAYABLE WITH RESPECT TO THIS RESPONSE.

In response to the official action mailed October 24, 2008, please enter the following before reconsideration of this application –please note that January 24 and 25, 2009 were a Saturday and a Sunday, respectively, thereby permitting a timely response to the outstanding official action on **Monday, January, 26, 2009.**

**In the Claims:**

Please cancel claim 31, without prejudice or disclaimer of the subject matter therein, and amend claims 15, 29, and 30 as follows in which the claim additions are shown by underlining and/or the claim deletions are shown by either strikeout or brackets. Please enter the amended claims into the record of this case.